

DEC 15 2004



Mailing Address:
Law Department
PO Box 9777
Federal Way, Washington 98063-9777
Air Express:
33663 Weyerhaeuser Way South
Federal Way, WA 98063

DATE: December 15, 2004

TO: **NAME:** Office of Initial Patent Examination
LOCATION: United States Patent and Trademark Office
FAX NUMBER: 703-872-9306
TEL NUMBER:

FROM: **NAME:** Teresa J. Wiant
MAIL ADDRESS: teresa.wiant@weyerhaeuser.com
TEL NUMBER: 253-924-5611
FAX NUMBER: 253-924-3253

Number of pages, including cover sheet: 16

Re: Application of Herman
Serial No. 10/727,445
Filed December 3, 2003
Our Docket No.: 24873
For: Use of a Low Nitrogen Fertilizer to Propagate Shoots from a Log

Please find enclosed herein:

- Statement
- Copy of Response to Missing Parts Notice, originally filed May 20, 2004
- Copy of (re-issued) Notice to File Missing Parts of Nonprovisional Application

DEC 15 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRANSMITTAL

Applicant: Barrington Herman Attorney Docket No. WEYE121341/24873
Serial No.: 10/727,446 Group Art Unit: 1754
Filing Date: December 3, 2003 Examiner: Unassigned
Title: Use of a Low Nitrogen Fertilizer to Propagate Shoots from a Log

Federal Way, Washington 98063
December 15, 2004

STATEMENT REGARDING SECOND MAILING OF NOTICE TO FILE MISSING
PARTS OF NONPROVISIONAL PATENT APPLICATION

TO THE COMMISSIONER FOR PATENTS:

The first Notice to File Missing Parts of Nonprovisional Patent Application ("Notice") was mailed from the US Patent and Trademark Office ("USPTO") on March 8, 2004, for this patent application. The Notice requested the filing of an Oath or Declaration, and the payment of a surcharge for late filing of the Oath or Declaration.

Applicant filed a Response to the Notice on May 20, 2004. The Response included a Combined Declaration/Power of Attorney ("Declaration"), and an authorization to charge the requisite fees to Applicant's deposit account.

The Reponse was filed via facsimile. A facsimile transmittal report confirmed that the facsimile had been received. The Declaration was scanned onto Private PAIR, and is downloadable as an Image File Wrapper file.

However, Applicant never received an updated Filing Receipt. Investigation revealed that the payment authorization, which accompanied the Declaration, had apparently been lost during processing at the USPTO. The Office of Initial Patent Examination therefore issued another Missing Parts Notice, one re-requesting payment.

Accordingly, please find enclosed a copy of the original Response to the Notice, including the payment authorization and the facsimile transmittal report. The Response to the Notice was timely filed, on May 20, 2004, necessitating no extensions of time. As authorization was given to charge the fees to Applicant's Deposit Account, and as the loss of said authorization was due to USPTO error, Applicant notes that no additional fees other than the \$130.00 surcharge are due.

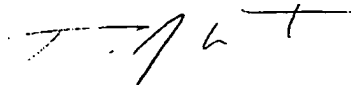
Please address all correspondence to:

Customer No. 28624

WEYERHAEUSER COMPANY
P.O. Box 9777, CH 1J27
Federal Way, Washington 98063-9777

Respectfully submitted,

WEYERHAEUSER COMPANY

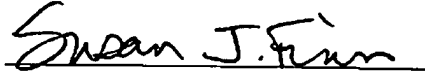

Teresa J. Wiant
Registration No. 36,967
Direct Dial No. 253-924-3991

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being sent via facsimile transmission to: Missing Parts, OIPE,
Commissioner for Patents, at 703-746-4060

Date:

12/15/04


Susan J. Finn

Transmission Report

24813 W
Side 3

Date/T.me
Locs ID
Local Name
Company Logo

S-20-04, 2:23PM
253 924 3253
WEY. LAW DEPT.
WEYERHAEUSER LAW DEPT.

This document was confirmed.
(reduced sample and details below)
Document Size Letter-S

DEC 15 2004



Law Department
PO Box 9777
Federal Way, Washington 98003-9777
Attn: Legal
3240 Weyerhaeuser Way South
Federal Way, WA 98003

TRANSMISSION MAY CONTAIN PRIVILEGED AND CONFIDENTIAL INFORMATION

The information contained in this transmission is intended for the named recipient(s) only and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, please call us (collect) immediately at (206) 924-3117 to arrange for its return at our expense. Any review, dissemination, distribution or copying of this communication by anyone other than the intended recipient(s) is strictly prohibited. Thank you.

May 20, 2004

TO: NAME: Mail Stop MISSING PARTS
FIRM: USPTO - Commissioner for Patents
LOCATION: Alexandria, VA
FAX NUMBER: 703-745-4060
TEL NUMBER: -

FROM: NAME: Susan Finn
MAIL ADDRESS: Law Department - Intellectual Property Group
Weyerhaeuser Company - CH 1J27
PO Box 9777
Federal Way WA 98003-9777
TEL NUMBER: 253/924-2997
FAX NUMBER: 253/924-3253

Total number of pages sent (including covers): 10
If there has been a transmission error, please notify the sender immediately.

MESSAGE:

RE: Application No.: 10/727,445
Filing Date: 12/03/2003
Attorney Docket #: WEYB12134U/24873

Attached you will find:

Transmittal Letter 1 page
Notice of Missing Parts 2 pages
Assignment w/Recordation Sheet 3 pages
Combined Declaration 3 pages

☐ Prosecution
☒ Dedocket
☒ Docket

8/20/04

cc: COJK

Total Pages Scanned : 10 Total Pages Confirmed : 10

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	233	USPTO MPS	5-20-04; 2:19PM	3'47"	10/ 10	EC		CP 14.4

Notes :

EC: Error Correct
BC: Broadcast Send
CP: Completed
HS: Host Scan
HF: Host Fax

RE: Resend
MP: Multi-Poll
RM: Receive to Memory
HP: Host Print
HR: Host Receive

PD: Polled by Remote
PG: Polling a Remote
DR: Document Removed
FO: Forced Output
FM: Forward Mailbox Doc.

MB: Receive to Mailbox
PI: Power Interruption
TM: Terminated by user
WT: Waiting Transfer
WS: Waiting Send



Law Department
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May 20, 2004

TO: **NAME:** Mail Stop MISSING PARTS
 FIRM: USPTO – Commissioner for Patents
 LOCATION: Alexandria, VA
 FAX NUMBER: 703-746-4060
 TEL NUMBER: --

FROM: **NAME:** Susan Finn
 MAIL ADDRESS: Law Department – Intellectual Property Group
 Weyerhaeuser Company - CH 1J27
 PO Box 9777
 Federal Way WA 98063-9777
 TEL NUMBER: 253/924-2997
 FAX NUMBER: 253/924-3253

Total number of pages sent (including cover): 10
If there has been a transmission error, please notify the sender immediately.

MESSAGE:

RE: Application No.: 10/727,446
 Filing Date: 12/03/2003
 Attorney Docket #: WEYE121341/24873

Attached you will find:

Transmittal Letter	1 page
Notice of Missing Parts	2 pages
Assignment w/Recordation Sheet	3 pages
Combined Declaration	3 pages

GERALD W. WYER

BOX MISSING PARTS

DEC 15 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Barrington Herman Attorney Docket No: WEYE121341/24873
Application No: 10/727,446 Group Art Unit: 1754
Filed: 12/03/2003 Examiner:
Title: USE OF A LOW NITROGEN FERTILIZER TO PROPAGATE SHOOTS FROM A LOG

TRANSMITTAL OF MISSING PARTS OF PATENT APPLICATION

May 20, 2004

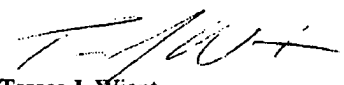
TO THE COMMISSIONER FOR PATENTS:

In response to Notice To File Missing Parts of Application #10/727,446 dated 03/08/2004, Transmitted Herewith are the Following:

1. **Payment of Fees**
The Commissioner is hereby authorized to charge filing fees of ~~\$130.00~~ for Missing Parts, Extension Fee of \$110.00, and any other fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 23-1480. This authorization also hereby includes a request for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application. A copy of this paper is enclosed.
2. **Combined Declaration and Power of Attorney for Patent Application**
3. **Assignment with Recordation Sheet**

Respectfully submitted,

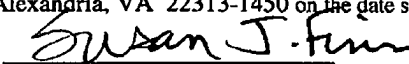
WEYERHAEUSER COMPANY


Teresa J. Wiant
Registration No. 36,967
Direct Dial No. 253-924-3991

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being faxed to 703-746-4060 Mail Stop Missing Parts, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on the date specified below.

Date: May 20, 2004



12/16/2004 LUNDIN1 00000044 231480 10727446

01 FC:1251 120.00 DA

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22304-1450
www.uspto.gov

28624
WEYERHAEUSER COMPANY
INTELLECTUAL PROPERTY DEPT., CH 1J27
P.O. BOX 9777
FEDERAL WAY, WA 98063

FORMALITIES LETTER



Date Mailed: 03/08/2004

FILED UNDER 37 CFR 1.53(b)

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- **\$130 Late oath or declaration Surcharge.**

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Wargess

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/727,446	12/03/2003	Barrington Herman	WEYE121341/24873

CONFIRMATION NO. 7090

28624
 WEYERHAEUSER COMPANY
 INTELLECTUAL PROPERTY DEPT., CH 1J27
 P.O. BOX 9777
 FEDERAL WAY, WA 98063

FORMALITIES LETTER



OC000000014680766

Date Mailed: 12/07/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 was not received.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

12/16/2004 LWONDIM1 00000043 231480 10727446

01 FC:1051 130.00 DA

*A copy of this notice **MUST** be returned with the reply.*

213
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE